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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Appeals

In re Application of: KOLTER et al.

Serial No. 09/811,546

Group Art Unit: 1615

Filed: March 20, 2001

Examiner: Spear

For: SOLID ORAL DOSAGE FORMS WITH DELAYED RELEASE OF ACTIVE
INGREDIENT AND HIGH MECHANICAL STABILITY

Date: September 20, 2004

To: Commissioner for Patents

Sir:

I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first class mail in an
envelope addressed to Commissioner for
Patents and Trademarks, P.O. Box 1450,
Arlington, VA 22313-1450, on:

9/20/04

Date of Deposit

Daniel Kim

Person Making Deposit

Signature

1. NOTICE OF APPEAL: Applicant hereby appeals to the Board of Appeals from the decision dated 6/18/04 of the Primary Examiner finally rejecting claims 1,3-19 and 21-24.
2. A check to cover the extension fee of \$____ is enclosed.
3. BRIEF on appeal in this application is transmitted herewith.
4. An Oral Hearing is requested.
 The Oral Hearing fee of \$290.00 is enclosed.
5. Fee \$330.00
 Enclosed
 Not required (Fee paid in prior appeal)
 Charge to Deposit Account No. 11-0345.
6. The Commissioner is hereby authorized to charge any fees which may be further required, or credit any over payment to Account No. 11-0345. A duplicate copy of this sheet is attached.

Respectfully submitted,
KEIL & WEINKAUF

By

Daniel S. Kim
Reg. No. 51877

DSK/lc

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